

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2016 AUG -8 PM 3:54

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

V.

JOSEPH P. KARPOWICZ,

Defendant.

§ CRIMINAL NO.

§ **SA 16 CR 0558 XR**

§ INFORMATION

§ VIO: 18 USC § 1341

§ Mail Fraud

§ 18 USC § 1957

§ Engaging in Monetary Transactions

§ Derived from Specified Unlawful Activity

THE UNITED STATES ATTORNEY CHARGES:

A MAIL FRAUD SCHEME

[18 U.S.C. § 1341]

A. INTRODUCTION

At all times material to this Information:

1. Defendant Joseph P. Karpowicz was a resident of San Antonio, Texas within the Western District of Texas.

2. Presidio Title was a real estate title company located in San Antonio, Texas within the Western District of Texas.

3. From October, 2006 through August 30, 2013, defendant Joseph P. Karpowicz was employed as the Chief Financial Officer (CFO) of Presidio Title.

4. In his capacity as CFO for Presidio Title, defendant Joseph P. Karpowicz had authority to create, issue, and sign checks drawn on Presidio Title's business bank accounts.

5. In his capacity as CFO for Presidio Title, defendant Joseph P. Karpowicz also had full access to Presidio Title's Quickbook records.

6. Presidio Title's business bank accounts were held at Texas Capital Bank, a

federally insured financial institution located in San Antonio, Texas within the Western District of Texas.

7. Defendant Joseph P. Karpowicz had personal bank accounts at federally insured financial institutions U.S. Bank and Broadway Bank.

B. THE SCHEME TO DEFRAUD

That from on or about April 27, 2010 to on or about June 20, 2013, in the Western District of Texas the defendant,

JOSEPH P. KARPOWICZ

did knowingly devise and intend to devise a scheme and artifice to defraud Presidio Title and to obtain money and property from such victim in the amount of approximately \$367,309.00 by means of false and fraudulent pretenses, representations, and promises.

C. MANNER AND MEANS OF THE SCHEME TO DEFRAUD

It was a part of the scheme and artifice to defraud that:

1. Defendant Joseph P. Karpowicz would and did fraudulently issue and sign certain legitimate Presidio Title business checks made payable to either Bank of America or U.S. Bank.

2. Defendant Joseph P. Karpowicz would and did mail the fraudulently issued and signed legitimate Presidio Title business checks to either Bank of America or U.S. Bank in payment of defendant Karpowicz's own personal credit card bills.

3. For each fraudulently issued and signed legitimate Presidio Title check, defendant Joseph P. Karpowicz would and did manually create materially false entries such as "Underwriting Fees" or "Office Supplies" into Presidio Title's Quickbook records to hide his fraudulent conduct.

4. Defendant Joseph P. Karpowicz then would and did utilize U.S. Bank Card checks and Bank of America self-checks to transfer and deposit these embezzled funds into his personal Broadway Bank accounts.

D. THE EXECUTION OF THE SCHEME

COUNT ONE

[18 U.S.C. § 1341]

1. The Grand Jury hereby incorporates by reference and realleges all of the allegations of Sections A, B and C of this Information.

2. On or about January 24, 2013, in the Western District of Texas, the defendant,

JOSEPH P. KARPOWICZ,

for the purpose of executing the aforementioned scheme and artifice to defraud and attempting to do so, did knowingly cause a fraudulent check # 9679 for \$10,467.00 made out to U.S. Bank drawn on a Texas Capital Bank Presidio Title business account to be deposited for mail delivery by the U.S. Postal Service to be sent and delivered to a particular address in Saint Louis, Missouri, from San Antonio, Texas, according to the directions thereon.

All in violation of Title 18, United States Code Section 1341.

COUNT TWO

[18 U.S.C. § 1341]

1. The Grand Jury hereby incorporates by reference and realleges all of the allegations of Sections A, B, and C, of this Information.

2. On or about February 21, 2013, in the Western District of Texas, the defendant,

JOSEPH P. KARPOWICZ,

for the purpose of executing the aforementioned scheme and artifice to defraud and attempting to do so, did knowingly cause a check # 9752 for \$10,467.00 made out to U.S. Bank drawn on a Texas Capital Bank Presidio Title business account to be deposited for mail delivery by the U.S. Postal Service to be sent and delivered to a particular address in Saint Louis, Missouri, from San Antonio, Texas, according to the directions thereon.

All in violation of Title 18, United States Code Section 1341.

COUNT THREE
[18 U.S.C. § 1957]

On or about July 27, 2012, in the Western District of Texas, the defendant,

JOSEPH P. KARPOWICZ,

knowingly engaged in and attempted to engage in a monetary transaction by, through, or to, financial institution Broadway Bank, affecting interstate commerce, in criminally derived property of a value greater than \$10,000.00; that is, a \$27,593.99 check made payable to Ancira Nissan , such property having been derived from a specified unlawful activity (mail fraud).

All in violation of Title 18 United States Code Section 1957.

RICHARD L. DURBIN, JR.
UNITED STATES ATTORNEY



BY: _____
THOMAS P. MOORE
Assistant United States Attorney